

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

FA/220B

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/069057

INTERNATIONAL APPLICATION NO.

PCT/EP00/04113

INTERNATIONAL FILING DATE

08/05/2000

PRIORITY DATE CLAIMED

16/08/1999

TITLE OF INVENTION

FOOTWEAR WITH SEALED SOLE CONSTRUCTION AND PROCESS FOR ITS PRODUCTION

APPLICANT(S) FOR DO/EO/US

Franz Haimerl

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☐ Other items or information:

Form 1449- Information Disclosure Citation

References (4)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.101)		ATTORNEY'S DOCKET NUMBER	
10/069057		FA/220B	
PCT/EP00/04113			
20. The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :			
<input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO \$930.00			
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$720.00			
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00			
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,070.00			
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$930.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30		\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	68 - 20 =	48	x \$22.00
Independent claims	2 - 3 =	0	x \$82.00
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>			\$0.00
TOTAL OF ABOVE CALCULATIONS =			\$1986.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>			\$0.00
SUBTOTAL =			\$1986.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30			\$0.00
TOTAL NATIONAL FEE =			\$1986.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>			\$0.00
TOTAL FEES ENCLOSED =			\$1986.00
			Amount to be: refunded \$
			charged \$
<input type="checkbox"/> A check in the amount of to cover the above fees is enclosed.			
<input checked="" type="checkbox"/> Please charge my Deposit Account No. 07-1729 in the amount of \$1986.00 to cover the above fees. A duplicate copy of this sheet is enclosed.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-1729 A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Dianne Burkhard, Esq. W. L. Gore & Associates, Inc. 551 Paper Mill Road P.O. Box 9206 Newark, DE 19714-9206			
SIGNATURE Dianne Burkhard NAME 41,650 REGISTRATION NUMBER February 15, 2002 DATE			

Attorney Docket No. FA/220B

#4/a

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Franz Haimerl

Serial No.: (To be Assigned)

Filed: February 15, 2002

For: Footwear With A Sealed Sole Construction
and Process for Its Production

) Group Art Unit:

) Examiner:

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Honorable Commissioner of
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Darlene S. McGrath
Darlene S. McGrath

February 15, 2002
(date of mailing document)

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the the above-identified application as follows:

In the Specification:

Page 2, line 36: Please add the following paragraphs:

-- DE-A-38 40 263 discloses a similar shoe construction in which an overhang of an end of a functional layer on the outsole side protruding with respect to an end of the outer material on the outsole side is bridged by a sealing strip, in which the strip is a textile strip which has a polyurethane coating on one or both sides and is intended to bring about a sealing connection between the functional layer overhang and an edge of a moulded-on outsole covering the sealing strip. This solution is also restricted to shoes with a moulded-on outsole.

WO-A-9641548 discloses footwear with a moulded-on outsole in which an outer-material end region on the outsole side is folded over outward and an functional-layer-lining end region on the outsole side is folded over inward, the outer-material end region which is folded over folded over outward being securely sewn on a frame-shaped first insole and the functional-layer-lining end region which is folded over inward being arranged between the first insole and a second insole, located above the functional-layer-lining end region . The functional-layer-lining end region is adhesively bonded to the second insole by means of a sealing compound or adhesive tape coated with polyurethane hot-melt adhesive and to the second insole by means of an adhesive of a type not specified any more precisely.--

10. (Amended) The footwear as claimed in [one of] claim[s] 1 [- 9], with an insole [(17)], to which the functional-layer end region [(23)] is fastened.
11. (Amended) The footwear as claimed in claim 10, in which the functional-layer end region [(23)] is joined to the insole [(17)] by means of a seam [(31)].
12. (Amended) The footwear as claimed in claim 9, in which the functional-layer end region [(23)] is kept essentially parallel to the tread of the outsole [(19; 39)] by means of a first string-lasting [(45)].
13. (Amended) The footwear as claimed in [one of] claim[s] 1 [- 12], in which the outer-material end region [(21)] is fastened to the functional layer [(23)] by means of fixing adhesive [(43)].
14. (Amended) The footwear as claimed in [one of] claim[s] 1 2 [- 13], in which the overhang [(24)] is bridged by a connecting strip of a material permeable to liquid reactive hot-melt adhesive [(33)] and the reactive hot-melt adhesive [(33)] has been applied to an outer side of the connecting strip.
15. (Amended) The footwear as claimed in claim 14, in which the connecting strip is constructed with a gauze strip [(27)].
16. (Amended) The footwear as claimed in claim 15, in which a first longitudinal side of the gauze strip [(27)] is fastened to the outer-material end region [(21)].
17. (Amended) The footwear as claimed in claim 16, in which the first longitudinal side of the gauze strip [(27)] is sewn to the outer-material end region [(21)].
18. (Amended) The footwear as claimed in [one of] claim[s] 15 [to 17], in which a second longitudinal side of the gauze strip [(27)] is fastened to the functional-layer end region [(23)].
19. (Amended) The footwear as claimed in claim 18, in which the second longitudinal side of the gauze strip [(27)] is sewn to the functional-layer end region [(23)].
20. (Amended) The footwear as claimed in [one of] claim[s] 16 18 [- 19], in which the second longitudinal side of the gauze strip [(27)] is fastened to the insole [(17)].
21. (Amended) The footwear as claimed in claim 20, in which the second longitudinal side of the gauze strip [(27)] is sewn to the insole [(17)].
22. (Amended) The footwear as claimed in [one of] claim[s] 18 [16 - 19], in which the second longitudinal side of the gauze strip [(27)] is fastened to the first string-lasting [(45)] holding the functional-layer end region [(23)].

23. (Amended) The footwear as claimed in claim 22, in which the second longitudinal side of the gauze strip [(27)] is sewn to the first string-lasting [(45)] holding the functional-layer end region [(23)].

24. (Amended) The footwear as claimed in [one of] claim[s] 12 [- 18] [and 21] [- 23], in which the outer-material end region [(21)] is kept essentially parallel to the tread of the outsole [(19; 39)] by means of a second string-lasting [(47)].

25. (Amended) The footwear as claimed in claim 24, in which the outer-material end region [(21)] is provided with an elastic drawstring, which pulls the outer-material end region [(21)] toward the center of the outsole.

26. (Amended) The footwear as claimed in claim 25, in which the elastic drawstring is formed by an elastic string-lasting [(47)], which has an elastic string [(51)] which pretensions the outer-material end region [(21)] toward the center of the outsole.

27. (Amended) The footwear as claimed in [one of] claim[s] 12 [-19 and 22 - 26], in which the functional-layer end region [(23)] is provided [wit] with an elastic drawstring, which pretensions the functional-layer end region [(23)] toward the center of the outsole.

28. (Amended) The footwear as claimed in claim 27, in which the elastic drawstring is formed by an elastic string-lasting [(45)], which has an elastic string [(51)] which pretensions the functional-layer end region [(23)] toward the center of the outsole.

29. (Amended) The footwear as claimed in claim 27 [or 28], in which the outer-material end region [(21)] is angled away outward and sewn to the peripheral edge [(18; 53; 57)] of a sole.

30. (Amended) The footwear as claimed in claim 29, in which the sole is formed by the outsole [(19; 39)].

31. (Amended) The footwear as claimed in claim 29, in which the sole is formed by an intermediate sole [(59)].

32. (Amended) The footwear as claimed in claim 31, in which the outsole [(39)] is fastened to the intermediate sole [(59)].

33. (Amended) The footwear as claimed in [one of] claim[s] 1 [- 32], in which a functional layer [(15)] is provided in the form of a waterproof and water-vapor-permeable functional layer.

34. (Amended) The footwear as claimed in claim 33, with a functional layer [(15)] constructed with expanded, microporous polytetrafluoroethylene.

35. (Amended) The footwear as claimed in [one of] claim[s] 1 [- 34], in which the outsole [(19)] is essentially in the form of a dish, with a sheet-like tread region and an upturned edge [(40)] rising up essentially perpendicularly from the latter.

36. (Amended) The footwear as claimed in [one of] claim[s] 9 [- 34], in which the outsole [(39)] is essentially in the form of a sheet.

37. (Amended) A process for producing footwear, having the following production steps:

an upper [(11)] is created, constructed with an outer material [(13)] and with a waterproof functional layer [(15)] at least partially lining the outer material [(13)] on the inner side of the latter and provided with an upper end region on the sole side; the outer material [(13)] is provided with an outer-material end region [(21)] on the sole side and the functional layer [(15)] is provided with a functional-layer end region [(23)] on the sole side, the functional-layer end region [(23)] being provided with an edge region which is not covered by the outer-material end region [(21)]; an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive [(33)] which brings about waterproofness when in the fully reacted state is applied to the edge region; an outsole [(19; 39)] is fastened to the upper end region.

38. (Amended) The process as claimed in claim [36]37, in which the edge region [(25)] is formed by an overhang of the functional-layer end region [(23)] projecting beyond the outer-material end region [(21)].

39. (Amended) The process as claimed in claim 37 [or 38], in which the functional-layer end region [(23)] is tensioned by means of a first string-lasting [(45)] which is essentially parallel to the tread of the outsole [(19; 39)].

40. (Amended) The process as claimed in claim 39, in which the first string-lasting [(45)] is provided with an elastic string [(51)], which pretensions the functional-layer end region [(23)] toward the center of the outsole.

41. (Amended) The process as claimed in claim [37 or] 39, in which the overhang [(25)] is bridged by a connecting strip of a material permeable to liquid reactive hot-melt adhesive [(33)] and the reactive hot-melt adhesive [(33)] is applied to an outer side of the connecting strip.

42. (Amended) The process as claimed in claim 41, in which [a] the connecting strip is attached in the form of a gauze strip [(27)].

43. (Amended) The process as claimed in claim 42, in which a first longitudinal side of the gauze strip [(27)] is sewn to the outer-material end region [(21)] and a second longitudinal side of the gauze strip [(27)] is sewn to the functional-layer end region [(23)].

44. (Amended) The process as claimed in [one of] claim[s 37 -] 43, in which the sole construction is provided with an insole [(17)].

45. (Amended) The process as claimed in [one of] claim[s 42 -] 44, in which the second longitudinal side of the gauze strip [(27)] is sewn to the insole [(17)].

46. (Amended) The process as claimed in claim [39 or 40 and 42]43, in which the second longitudinal side of the gauze strip [(27)] is sewn to the string-lasting [(45)].

47. (Amended) The process as claimed in [one of] claim[s] 39 [- 46], in which the outer-material end region [(21)] is tensioned by means of a second string-lasting [(47)] essentially parallel to the tread of the outsole [(19; 39)].

48. (Amended) The process as claimed in claim 40, in which the outer-material end region [(21)] is angled away outward and fastened to the peripheral edge of a sole.

49. (Amended) The process as claimed in claim 48, in which the angled-away outer-material end region [(21)] is fastened to the peripheral region of the outsole [(19; 39)].

50. (Amended) The process as claimed in claim 48, in which the angled-away outer-material end region [(21)] is fastened to the peripheral edge [(57)] of an intermediate sole [(59)], to the underside of which the outsole [(19; 39)] is fastened.

51. (Amended) The process as claimed in [one of] claim[s] 48 [- 50], with the following production steps:

- a) the functional-layer end region [(23)] is provided with a string-lasting [(45)] with an elastic string;
- b) the overhang [(25)] of the functional-layer end region [(23)] is provided on its outer side facing the sole with reactive hot-melt adhesive [(33)];
- c) the functional layer [(13)] provided with string-lasting [(45)] and reactive hot-melt adhesive [(33)] is arranged inside the outer material [(13)];
- d) the outwardly angled-away outer-material end region [(21)] is fastened to the peripheral edge [(53; 57)] of the sole [(39; 59)];
- e) the upper [(11)] joined to the sole [(39; 59)] is stretched onto a last [(20)] in such a way that the reactive hot-melt adhesive [(33)] comes into contact with the sole [(39; 59)];
- f) the reactive hot-melt adhesive [(33)] is adhesively bonded with the sole [(39; 59)].

52. (Amended) The process as claimed in claim 51, in which the outwardly angled-away outer-material end region [(21)] is adhesively bonded to the peripheral edge [(53; 57)] of the sole [(39; 59)].

58. (Amended) The process as claimed in [one of] claim[s] 55 [- 57], in which, after the adhesive bonding of the reactive hot-melt adhesive [(33)] and the removal of the last [(20)] from the upper [(11)], an insole [(55)] covering the functional-layer end region [(23)] and the sole [(19; 39; 59)] is attached inside the functional layer [(15)].

59. (Amended) The process as claimed in [one of] claim[s] 37 - 47]42, in which, after being applied to the overhang [(25)] or the gauze strip [(27)], the reactive hot-melt adhesive [(33)] is pressed against the surface of the overhang [(25)] or of the gauze strip [(27)] by a pressing device [(53)] with a pressing surface not adhesively bonding with the reactive hot-melt adhesive [(33)].

60. (Amended) The process as claimed in [one of] claim[s] 37 [- 59], in which a reactive hot-melt adhesive [(33)] which can cure by means of moisture is used, being applied to the region to be sealed and exposed to moisture to make it fully react.

61. (Amended) The process as claimed in claim 60, in which a reactive hot-melt adhesive [(33)] which can be thermally activated and can be cured by means of moisture is used, being thermally activated, applied to the region to be sealed and exposed to moisture to make it fully react.

62. (Amended) The process as claimed in claim [59 or 60]38, in which a reactive hot-melt adhesive [(33)] which can be thermally activated is applied in the non-activated state to the overhang [(25)] and is thermally activated only at the time at which the adhesive bonding of the reactive hot-melt adhesive [(33)] is intended to take place.

63. (Amended) The process as claimed in claim 62, in which a reactive hot-melt adhesive [(33)] [which contains] containing particles and which can be heated by means of irradiation is applied to the overhang [(25)], radiation heating the particles being directed onto the reactive hot-melt adhesive [(33)] at the time at which the adhesive bonding of the reactive hot-melt adhesive [(33)] is intended to take place.

64. (Amended) The process as claimed in claim [62 or] 63, in which reactive hot-melt adhesive [(33)] containing metal particles is used and microwave radiation is directed onto the reactive hot-melt adhesive [(33)].

65. (Amended) The process as claimed in claim [62 or] 63, in which reactive hot-melt adhesive [(33)] containing carbon particles is used and infrared radiation is directed onto the reactive hot-melt adhesive [(33)].

66. (Amended) The process as claimed in [one of] claim[s] 37 [- 65], in which a waterproof and water-vapor-permeable functional layer [(15)] is used.

67. (Amended) The process as claimed in claim 66, in which a functional layer [(15)] constructed with expanded, microporous polytetrafluoroethylene is used.

Please add the following new claim:

-9-

--68. The process as claimed in claim 56, in which, after the adhesive bonding of the reactive hot-melt adhesive and the removal of the last from the upper, an insole covering the functional-layer end region and the sole is attached inside the functional layer.--

REMARKS

Claims 1-4 and 6-67 have been amended to eliminate multiple dependency. New claim 68 has been added. It is believed that the amendments to the specification and claims place the application in better condition for examination and that no new matter has been added by the amendments. Therefore, entry of the instant preliminary amendment is respectfully requested.

Respectfully submitted,



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Date: February 15, 2002

CLEAN VERSION OF AMENDED CLAIMS:

1. Footwear with an upper and a sole construction having an outsole, in which:
the upper is constructed with an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the latter and having an upper end region on the sole side with an outer-material end region and a functional-layer end region,
the outsole is joined to the upper end region,
the functional-layer end region has an edge region which is not covered by the outer-material end region and an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state is applied to the edge region.

2. The footwear as claimed in claim 1, in which the edge region is formed by an overhang projecting beyond the outer material end region of the functional-layer end region.

3. The footwear as claimed in claim 1, with reactive hot-melt adhesive in the form of PU reactive hot-melt adhesive.

4. The footwear as claimed in claim 1, with reactive hot-melt adhesive, which contains particles which can be heated by means of irradiation.

6. The footwear as claimed in claim 1, in which the outsole is adhesively bonded to the upper end region by means of outsole cement applied to it.

7. The footwear as claimed in claim 1, in which the reactive hot-melt adhesive extends over the entire edge region.

8. The footwear as claimed in claim 1, in which the upper end region extends essentially perpendicular to the tread of the outsole and the functional-layer end region projects beyond the outer-material end region in the direction of the tread.

9. The footwear as claimed in claim 1, in which the upper end region extends essentially parallel to the tread of the outsole and the functional-layer end region projects beyond the outer-material end region in the direction of the center of the outsole.

10. The footwear as claimed in claim 1, with an insole, to which the functional-layer end region is fastened.

11. The footwear as claimed in claim 10, in which the functional-layer end region is joined to the insole by means of a seam.

12. The footwear as claimed in claim 9, in which the functional-layer end region is kept essentially parallel to the tread of the outsole by means of a first string-lasting .

13. The footwear as claimed in claim 1, in which the outer-material end region is fastened to the functional layer by means of fixing adhesive.

14. The footwear as claimed in claim 2, in which the overhang is bridged by a connecting strip of a material permeable to liquid reactive hot-melt adhesive and the reactive hot-melt adhesive has been applied to an outer side of the connecting strip.

15. The footwear as claimed in claim 14, in which the connecting strip is constructed with a gauze strip.

16. The footwear as claimed in claim 15, in which a first longitudinal side of the gauze strip is fastened to the outer-material end region.

17. The footwear as claimed in claim 16, in which the first longitudinal side of the gauze strip is sewn to the outer-material end region.

18. The footwear as claimed in claim 15, in which a second longitudinal side of the gauze strip is fastened to the functional-layer end region.

19. The footwear as claimed in claim 18, in which the second longitudinal side of the gauze strip is sewn to the functional-layer end region.

20. The footwear as claimed in claim 18, in which the second longitudinal side of the gauze strip is fastened to the insole.

21. The footwear as claimed in claim 20, in which the second longitudinal side of the gauze strip is sewn to the insole.

22. The footwear as claimed in claim 18, in which the second longitudinal side of the gauze strip is fastened to the first string-lasting holding the functional-layer end region.

23. The footwear as claimed in claim 22, in which the second longitudinal side of the gauze strip is sewn to the first string-lasting holding the functional-layer end region.

24. The footwear as claimed in claim 12, in which the outer-material end region is kept essentially parallel to the tread of the outsole by means of a second string-lasting.

25. The footwear as claimed in claim 24, in which the outer-material end region is provided with an elastic drawstring, which pulls the outer-material end region toward the center of the outsole.

26. The footwear as claimed in claim 25, in which the elastic drawstring is formed by an elastic string-lasting, which has an elastic string which pretensions the outer-material end region toward the center of the outsole.

27. The footwear as claimed in claim 12, in which the functional-layer end region is provided with an elastic drawstring, which pretensions the functional-layer end region toward the center of the outsole.

28. The footwear as claimed in claim 27, in which the elastic drawstring is formed by an elastic string-lasting, which has an elastic string which pretensions the functional-layer end region toward the center of the outsole.

29. The footwear as claimed in claim 27, in which the outer-material end region is angled away outward and sewn to the peripheral edge of a sole.

30. The footwear as claimed in claim 29, in which the sole is formed by the outsole.

31. The footwear as claimed in claim 29, in which the sole is formed by an intermediate sole.

32. The footwear as claimed in claim 31, in which the outsole is fastened to the intermediate sole.

33. The footwear as claimed in claim 1, in which a functional layer is provided in the form of a waterproof and water-vapor-permeable functional layer.

34. The footwear as claimed in claim 33, with a functional layer constructed with expanded, microporous polytetrafluoroethylene.

35. The footwear as claimed in claim 1, in which the outsole is essentially in the form of a dish, with a sheet-like tread region and an upturned edge rising up essentially perpendicularly from the latter.

36. The footwear as claimed in claim 9, in which the outsole is essentially in the form of a sheet.

37. A process for producing footwear, having the following production steps:

an upper is created, constructed with an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the latter and provided with an upper end region on the sole side;
the outer material is provided with an outer-material end region on the sole side and the functional layer is provided with a functional-layer end region on the sole side, the functional-layer end region being provided with an edge region which is not covered by the outer-material end region;
an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state is applied to the edge region;
an outsole is fastened to the upper end region.

38. The process as claimed in claim 37, in which the edge region is formed by an overhang of the functional-layer end region projecting beyond the outer-material end region.

39. The process as claimed in claim 37, in which the functional-layer end region is tensioned by means of a first string-lasting which is essentially parallel to the tread of the outsole.

40. The process as claimed in claim 39, in which the first string-lasting is provided with an elastic string, which pretensions the functional-layer end region toward the center of the outsole.

41. The process as claimed in claim 39, in which the overhang is bridged by a connecting strip of a material permeable to liquid reactive hot-melt adhesive and the reactive hot-melt adhesive is applied to an outer side of the connecting strip.

42. The process as claimed in claim 41, in which the connecting strip is attached in the form of a gauze strip.

43. The process as claimed in claim 42, in which a first longitudinal side of the gauze strip is sewn to the outer-material end region and a second longitudinal side of the gauze strip is sewn to the functional-layer end region.

44. The process as claimed in claim 43, in which the sole construction is provided with an insole.

45. The process as claimed in claim 44, in which the second longitudinal side of the gauze strip is sewn to the insole.

46. The process as claimed in claim 43, in which the second longitudinal side of the gauze strip is sewn to the string-lasting.

47. The process as claimed in claim 39, in which the outer-material end region is tensioned by means of a second string-lasting essentially parallel to the tread of the outsole.

48. The process as claimed in claim 40, in which the outer-material end region is angled away outward and fastened to the peripheral edge of a sole.

49. The process as claimed in claim 48, in which the angled-away outer-material end region is fastened to the peripheral region of the outsole.

50. The process as claimed in claim 48, in which the angled-away outer-material end region is fastened to the peripheral edge of an intermediate sole, to the underside of which the outsole is fastened.

51. The process as claimed in claim 48, with the following production steps:

- a) the functional-layer end region is provided with a string-lasting with an elastic string;
- b) the overhang of the functional-layer end region is provided on its outer side facing the sole with reactive hot-melt adhesive;
- c) the functional layer provided with string-lasting and reactive hot-melt adhesive is arranged inside the outer material;
- d) the outwardly angled-away outer-material end region is fastened to the peripheral edge of the sole;
- e) the upper joined to the sole is stretched onto a last in such a way that the reactive hot-melt adhesive comes into contact with the sole;
- f) the reactive hot-melt adhesive is adhesively bonded with the sole.

52. The process as claimed in claim 51, in which the outwardly angled-away outer-material end region is adhesively bonded to the peripheral edge of the sole.

53. The process as claimed in claim 51, in which the outwardly angled-away outer-material end region is sewn to the peripheral edge of the sole.

54. The process as claimed in claim 51, in which the angled-away outer-material end region is fastened to an intermediate sole.

55. The process as claimed in claim 54, in which

- a) the upper having the outer material and the functional layer is stretched over a last;
- b) the outwardly angled-away outer-material end region is adhesively bonded to the peripheral edge of the intermediate sole;
- c) the outer is removed from the last;
- d) the outwardly angled-away outer-material end region is sewn to the peripheral edge of the intermediate sole;
- e) the upper sewn to the intermediate sole is stretched once again onto the last in such a way that the reactive hot-melt adhesive comes into contact with the intermediate sole;
- f) the reactive hot-melt adhesive is adhesively bonded with the intermediate sole.

56. The process as claimed in claim 51, in which the outwardly angled-away outer-material region is fastened to the outsole.

57. The process as claimed in claim 56, in which

- a) the outwardly angled-away outer-material end region is adhesively bonded to the peripheral edge of the outsole;
- b) the outwardly angled-away outer-material end region is sewn to the peripheral edge of the outsole;
- c) the upper sewn to the outsole is stretched over a last in such a way that the reactive hot-melt adhesive comes into contact with the outsole;
- d) the reactive hot-melt adhesive is adhesively bonded with the outsole.

58. The process as claimed in claim 55, in which, after the adhesive bonding of the reactive hot-melt adhesive and the removal of the last from the upper, an insole covering the functional-layer end region and the sole is attached inside the functional layer.

59. The process as claimed in claim 42, in which, after being applied to the overhang or the gauze strip, the reactive hot-melt adhesive is pressed against the surface of the overhang or of the gauze strip by a pressing device with a pressing surface not adhesively bonding with the reactive hot-melt adhesive.

60. The process as claimed in claim 37, in which a reactive hot-melt adhesive which can cure by means of moisture is used, being applied to the region to be sealed and exposed to moisture to make it fully react.

61. The process as claimed in claim 60, in which a reactive hot-melt adhesive which can be thermally activated and can be cured by means of moisture is used, being thermally activated, applied to the region to be sealed and exposed to moisture to make it fully react.

62. The process as claimed in claim 38, in which a reactive hot-melt adhesive which can be thermally activated is applied in the non-activated state to the overhang and is thermally activated only at the time at which the adhesive bonding of the reactive hot-melt adhesive is intended to take place.

63. The process as claimed in claim 62, in which a reactive hot-melt adhesive containing particles and which can be heated by means of irradiation is applied to the overhang, radiation heating the particles being directed onto the reactive hot-melt adhesive at the time at which the adhesive bonding of the reactive hot-melt adhesive is intended to take place.

64. The process as claimed in claim 63, in which reactive hot-melt adhesive containing metal particles is used and microwave radiation is directed onto the reactive hot-melt adhesive.

65. The process as claimed in claim 63, in which reactive hot-melt adhesive containing carbon particles is used and infrared radiation is directed onto the reactive hot-melt adhesive.

66. The process as claimed in claim 37, in which a waterproof and water-vapor-permeable functional layer is used.

67. The process as claimed in claim 66, in which a functional layer constructed with expanded, microporous polytetrafluoroethylene is used.

68. The process as claimed in claim 56, in which, after the adhesive bonding of the reactive hot-melt adhesive and the removal of the last from the upper, an insole covering the functional-layer end region and the sole is attached inside the functional layer.

CLEAN VERSION OF AMENDMENTS TO THE SPECIFICATION:

DE-A-38 40 263 discloses a similar shoe construction in which an overhang of an end of a functional layer on the outsole side protruding with respect to an end of the outer material on the outsole side is bridged by a sealing strip, in which the strip is a textile strip which has a polyurethane coating on one or both sides and is intended to bring about a sealing connection between the functional layer overhang and an edge of a moulded-on outsole covering the sealing strip. This solution is also restricted to shoes with a moulded-on outsole.

WO-A-9641548 discloses footwear with a moulded-on outsole in which an outer-material end region on the outsole side is folded over outward and an functional-layer-lining end region on the outsole side is folded over inward, the outer-material end region which is folded over outward being securely sewn on a frame-shaped first insole and the functional-layer-lining end region which is folded over inward being arranged between the first insole and a second insole, located above the functional-layer-lining end region . The functional-layer-lining end region is adhesively bonded to the second insole by means of a sealing compound or adhesive tape coated with polyurethane hot-melt adhesive and to the second insole by means of an adhesive of a type not specified any more precisely.

- 1 -

**Footwear with a sealed sole construction and process
for its production**

FIELD OF THE INVENTION

5

The invention relates to footwear with an upper, which is provided at least partially with a waterproof functional layer which is preferably water-vapor permeable, and with an outsole, in particular a cemented-on outsole. The invention also relates to a process for the production of such a shoe.

10

TECHNICAL BACKGROUND

15

There are shoes whose shoe upper is waterproof and water-vapor permeable because it is lined with a functional layer. A shoe upper of this type remains breathable in spite of being waterproof. Special efforts are required to ensure permanent waterproofness in the region between the end of the upper on the sole side and the sole construction.

20

To achieve this, sock-like inserts, also known among those skilled in the art as booties, have been used between the upper and the sole construction on the one hand and an inner lining on the other hand. Since such booties are shaped by fusing together cut-to-size parts, they need not have any stitching holes. However, the use of booties is quite costly in production if the booties are to correspond to some extent to the shape of the respective shoe.

25

30

Another known method is to use outsole material of a molded-on outsole to seal the lower region of the shoe construction, and consequently the lower region of the upper lined with the functional layer and possibly sewn to an insole. This cannot, however, prevent water from reaching the end of the upper on the sole side, and consequently the end of the functional layer on the sole side, on the outer material of the upper, which generally conducts water by capillary effects, and

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- 2 -

consequently reaching the generally very strongly water-absorbent inner lining located on the inner side of the functional layer, via water bridges, in particular in the form of textile fibers at the cut
5 edge of the end of the upper on the sole side.

These problems have been overcome by a sole construction known from EP 0 298 360 B1, in which the functional layer has in the region of the end of the upper on the sole side an overhang with respect to the
10 outer material, which is bridged by a gauze strip, of which one side is securely sewn to the outer material and the other side is securely sewn to the functional layer and to the insole. In this case, the overhang of the functional layer is sealed by the outsole material
15 which has penetrated through the gauze strip during the molding-on, when it is liquid. The gauze strip represents a barrier to water which has penetrated along the outer material to under the region of the end of the upper on the sole side covered by the outsole,
20 in particular if it is a monofilament gauze strip, so that such water cannot penetrate as far as the cut edge of the functional layer on the sole side and consequently not as far as the inner lining of the footwear.

25 This gauze strip solution has proven to be extremely successful. Since in this case the sealing of the end region of the functional layer on the sole side requires the molding-on of an outsole, this known method is restricted to shoes with a molded-on outsole and cannot be used for shoes with a cemented-on
30 outsole. Consequently, it is also not available for shoes of a more elegant style. The molding-on of outsoles entails high costs, which lead to a long payback period and make it necessary to produce the
35 respective type and size of shoe in large numbers.

Shoe constructions in which the functional layer likewise has an overhang beyond the outer material in the end region on the sole side, but in which there is no gauze strip, are likewise known. In

- 3 -

this case, the outsole material is molded directly onto the functional layer in the region of the overhang. This method is also suitable only for footwear with a molded-on outsole.

5

SUMMARY OF THE INVENTION

The invention provides footwear in which, with any outsole, the upper end region on the sole side can
10 be made permanently waterproof with as little expenditure as possible and with as few process steps as possible.

Footwear according to the invention has an upper and an outsole, the upper being constructed with
15 an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the latter and having an upper end region on the sole side with an outer-material end region and a functional-layer end region. The outsole
20 is joined to the upper end region. The functional-layer end region has an edge region which is not covered by the outer material end region. In an embodiment of the invention this edge region is formed by an overhang projecting beyond the outer-material end region. An
25 adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state is applied to the edge region or overhang.

30

The sealing function which in the case of conventional footwear of the type specified above has been achieved with outsole material is brought about in the case of footwear according to the invention by the
35 reactive hot-melt adhesive applied to the overhang of the functional-layer end region, which on the one hand has particularly high creepability in the liquid state before fully reacting and on the other hand leads to particularly high and permanent waterproofness when in

The reactive hot-melt adhesive in the region of the overhang is applied either directly to the functional layer, if there is no connecting strip, or it is applied to the outer side of the connecting strip bridging the overhang if a connecting strip is present. In order that, in the latter case, a reactive hot-melt adhesive seals the functional layer, a material which is permeable to the reactive hot-melt adhesive, which is liquid or liquefied before fully reacting, is chosen for the connecting strip.

The presence of such a connecting strip on the one hand allows permanent waterproof sealing between the functional-layer end region and the cemented-on outsole and on the other hand makes it possible for the tensile forces which are exerted on the functional layer during the stretching of the functional-layer end region over the last, for example by means of string lasting or by means of clamps, to be directed fully or at least partially to the outer material, instead of allowing them to act exclusively on the functional layer, which is less able to withstand loads.

The connecting strip is preferably constructed with open-mesh material, which is formed by thermoplastic mesh material or textile material, preferably monofilament textile material. The connecting strip may, however, be of any other form, for example be formed by clasps, large-looped or long seam stitches or similar structures. The connecting strip is intended mainly to perform the task of permitting adequate flow of the liquid reactive hot-melt adhesive for permanently waterproof sealing of the functional layer and to allow the functional layer to be relieved of forces and the load to be transferred or divided between the outer material and the insole material (in the case of cement-lasting) or the string-lasting (in the case of string-lasting).

A gauze strip from Gebrüder Jaeger GmbH & Co. of Wuppertal, Germany, with the article number 23851, is suitable for footwear according to the invention.

to the region to be adhesively attached and being exposed to moisture to make it fully react. In one embodiment of the invention, a reactive hot-melt adhesive which can be thermally activated and can be
5 cured by means of moisture is used, being thermally activated, applied to the region to be adhesively attached and exposed to moisture to make it fully react.

The production of shoes according to the
10 invention is made particularly simple and cost-effective by using reactive hot-melt adhesive which can be thermally activated and can be induced to undergo its curing reaction by means of moisture, for example water vapor.

15 Expanding reactive hot-melt adhesive may also be used if use is to be made of its increased volume, which makes it particularly suitable for filling cavities and penetrating into cracks or niches which may form in the region of the gauze strip. Particularly
20 reliable waterproofness can be brought about as a result. Expansion may be achieved by the reactive hot-melt adhesive being made to swirl by a gas, which may preferably be a mixture of nitrogen and air, during application.

25 Reactive hot-melt adhesives refer to adhesives which, before their activation, consist of relatively short molecule chains with an average molecular weight in the range from about 3000 to about 5000 g/mol, are non-adhesive and, after activating, possibly by heat,
30 are brought into a state of reaction in which the relatively short molecule chains are crosslinked to form long molecule chains and thereby cure, doing so predominantly in moist atmosphere. During the reaction or curing time, they are adhesive. After the
35 crosslinking curing, they cannot be re-activated. When they fully react, a three-dimensional crosslinking of molecule chains occurs. The three-dimensional crosslinking leads to particularly strong protection against penetration of water into the adhesive.

- 10 -

blocking and consequently to activate the reactive hot-melt adhesive constructed with the blocked isocyanate, a thermal activation must be carried out. Activation temperatures for such PU reactive hot-melt adhesives
5 lie approximately in the range from 70°C to 180°C.

In another embodiment of the invention, non-blocked PU reactive hot-melt adhesive is used. The crosslinking reaction can be accelerated by supplying heat.

10 In a practical embodiment of the method according to the invention, a PU reactive hot-melt adhesive which can be obtained under the name IPATHERM S 14/242 from the company H.P. Fuller of Wels, Austria is used. In another embodiment of the invention, a PU
15 reactive hot-melt adhesive which can be obtained under the name Macroplast QR 6202 from the company Henkel AG, Düsseldorf, Germany, is used.

In an embodiment of the invention, reactive hot-melt adhesive is used, which may be the already
20 mentioned PU reactive hot-melt adhesive with admixed carbon particles, metal particles with electrical conductivity or particles of other materials which have an electrical conductivity of such a type that they can be selectively heated by means of microwave energy, or
25 which have an absorbency for other types of radiation, for example infrared radiation, of such a type that they can be selectively heated by means of such radiation. As a result of the energy absorption, the particles admixed with the reactive hot-melt adhesive
30 heat up and cause the reactive hot-melt adhesive to be heated "from the inside out". In this process, the particles act like "heating elements" incorporated into the reactive hot-melt adhesive. Suitable selection of the heating energy allows the effect to be achieved
35 that materials of the shoe construction other than the reactive hot-melt adhesive do not heat up, or only relatively little. The particles are, for example, in a fibrous form. The carbon particles are admixed with the reactive hot-melt adhesive with a proportion by weight

- 11 -

in the range from about 0.1% to about 5%, preferably in the range from about 0.1% to about 3% and particularly preferably with a proportion by weight of 2%. For metal particles, approximately the same
5 admixing amounts apply. In an embodiment using this reactive hot-melt adhesive, an adhesive mixture of this type is applied to the location to be adhesively bonded before the adhesive bonding operation. The footwear then undergoes an activation heating process, for
10 example by means of microwave energy, ultrasound or infrared heating. This heating is adjusted such that heating up of the carbon particles, metal particles or energy-absorbing particles of another kind takes place, as a result of which the reactive hot-melt adhesive is
15 activated and liquefied. In the case of infrared heating, for example, it is possible by the selective use of certain wavelengths to exclude the possibility of any more than just the reactive hot-melt adhesive being heated. Heating the reactive hot-melt adhesive by
20 means of the incorporated energy-absorbing particles consequently achieves the effect of saving the other components of the footwear from being excessively heated. These incorporated particles also allow a reduction in the required exposure time in the heating
25 of the reactive hot-melt adhesive to be achieved.

Particularly preferred is a functional layer which is not only water-impermeable but also water-vapor permeable. This makes possible the production of waterproof shoes which remain breathable in spite of
30 being waterproof.

A functional layer is regarded as "waterproof", if appropriate including the seams provided at the functional layer, if it ensures a water ingress pressure of at least $1.3 \cdot 10^4$ Pa. The material of the
35 functional layer preferably ensures a water ingress pressure of over $1 \cdot 10^5$ Pa. The water ingress pressure must be measured here by a test method in which distilled water at $20 \pm 2^\circ\text{C}$ is applied with increasing pressure to a sample of the functional layer

- 12 -

of 100 cm². The pressure increase of the water is 60±1 cm of water column per minute. The water ingress pressure then corresponds to the pressure at which water appears for the first time on the other side of the sample. Details of the procedure are described in ISO standard 0811 from the year 1981.

A functional layer is regarded as "water-vapor permeable" if it has a water-vapor permeability coefficient Ret of less than 150 m²·Pa·W⁻¹. The water-vapor permeability is tested by the Hohenstein skin model. This test method is described in DIN EN 31092 (02/94) or ISO 11092 (19/33).

Whether a shoe is waterproof can be tested for example by a centrifuge arrangement of the type described in US-A-5,329,807. A centrifuge arrangement described there has four swing-mounted holding baskets for holding footwear. With this arrangement, two or four shoes or boots can be tested at the same time. In this centrifuge arrangement, centrifugal forces generated by centrifuging the footwear at high speed are used for locating leaks in the footwear. Before centrifuging, the space inside the footwear is filled with water. Absorbent material, such as blotting paper or a paper towel for example, is arranged on the outer side of the footwear. The centrifugal forces exert a pressure on the water with which the footwear is filled, with the effect that water reaches the absorbent material if the footwear has a leak.

In such a waterproofness test, the footwear is first of all filled with water. In the case of footwear with outer material which does not have adequate inherent rigidity, rigid material is arranged in the space inside the upper for stabilizing it, in order to prevent the upper from collapsing during centrifuging. In the respective holding basket there is blotting paper or a paper towel, onto which the footwear to be tested is placed. The centrifuge is then made to rotate for a specific period of time. Thereafter, the centrifuge is stopped and the blotting paper or paper

towel is examined to ascertain whether it is moist. If it is moist, the footwear tested has not passed the waterproofness test. If it is dry, the footwear tested has passed the test and is classified as waterproof.

5 The pressure which the water exerts during centrifuging depends on the effective shoe surface area (sole inner surface area), dependent on the shoe size, on the mass of the amount of water with which the footwear is filled, on the effective centrifuging
10 radius and on the centrifuging speed.

 Suitable materials for the waterproof, water-vapor permeable functional layer are, in particular, polyurethane, polypropylene and polyester, including polyether esters and their laminates, such as are
15 described in the documents US-A-4,725,418 and US-A-4,493,870. Particularly preferred, however, is stretched microporous polytetrafluoroethylene (ePTFE), as is described for example in the documents US-A-3,953,566 and US-A-4,187,390, and stretched
20 polytetrafluoroethylene provided with hydrophilic impregnating agents and/or hydrophilic layers; see, for example, the document US-A-4,194,041. A microporous functional layer is understood to be a functional layer of which the average pore size lies between
25 approximately 0.2 μm and approximately 0.3 μm .

 The pore size can be measured with the Coulter Porometer (trade name), which is produced by Coulter Electronics, Inc., Hialeath, Florida, USA.

 The Coulter Porometer is a measuring instrument
30 which provides an automatic measurement of the pore size distributions in porous media, using the liquid displacement method (described in ASTM Standard E 1298-89).

 The Coulter Porometer determines the pore size
35 distribution of a sample by means of an increasing air pressure directed at the sample and by measuring the resultant flow. This pore size distribution is a measure of the degree of uniformity of the pores of the sample (i.e. a narrow pore size distribution means that

laminate. The functional layer laminate may also have more than two layers, it being possible for a textile backing to be located on the side of the functional layer remote from the lining layer.

5 The outsole of footwear according to the invention may consist of waterproof material, such as for example rubber or plastic, for example polyurethane, or of non-waterproof, but breathable material, such as in particular leather or leather
10 provided with rubber or plastic intarsias. In the case of non-waterproof outsole material, the outsole can be made waterproof, while maintaining breathability, by being provided with a waterproof, water-vapor-permeable functional layer at least at points at which the sole
15 construction has not already been made waterproof by other measures.

 The insole of footwear according to the invention may consist of viscose, for example a viscose which can be obtained under the trade name Texon, a
20 nonwoven, for example polyester nonwoven, to which fusible fibers may be added, leather or adhesively bonded leather fibers. Insoles of such materials are water-permeable. Insoles of such material or other material can be made waterproof by arranging a layer of
25 waterproof material on one of its surfaces or inside it. For this purpose, for example, a film with Kappenstoff V25 from the company Rhenoflex of Ludwigshafen, Germany, may be ironed on. If the insole is to be not only waterproof but also water-vapor-
30 permeable, it is provided with a waterproof, water-vapor-permeable functional layer, which is preferably constructed with ePTFE (expanded, microporous polytetrafluoroethylene). An insole of leather finished in such a way can be obtained under the trade name TOP
35 DRY from W.L. Gore & Associates GmbH, Putzbrunn, Germany.

BRIEF DESCRIPTION OF THE FIGURES

The invention as well as further aspects of the object and advantages are now explained in more detail
5 on the basis of exemplary embodiments. In the drawings, partly in schematized cross-sectional representation, partly in perspective sectional representation:

Figure 1 shows in cross-sectional representation a first embodiment of a shoe according
10 to the invention, with an insole, vertical upper end region and approximately vertical gauze strip;

Figure 2 shows in cross-sectional representation a second embodiment of a shoe according
15 to the invention, with an insole, vertical outer-material end region, horizontal functional-layer end region and approximately horizontal gauze strip;

Figure 3 shows in cross-sectional representation a third embodiment of a shoe according
20 to the invention, with an insole, horizontal upper end region and approximately horizontal gauze strip;

Figure 4 shows a perspective sectional representation of the third embodiment still without an outsole;

Figure 5 shows a representation as in Figure 4,
25 but with an outsole;

Figure 6 shows a partially sectioned perspective representation of an entire shoe according
to the third embodiment;

Figure 7 shows a fourth embodiment of a shoe
30 according to the invention, with a construction as in the first embodiment, but without a gauze strip;

Figure 8 shows a fifth embodiment of a shoe according to the invention, which coincides with the
fourth embodiment but additionally has a fixing
35 adhesive bond between the outer-material end region and the functional layer;

Figure 9 shows a sixth embodiment of a shoe according to the invention, with a construction as in
the second embodiment but without a gauze strip;

Figure 20 shows a plan view from below of a functional layer part with an elastic string-lasting at a functional-layer end region on the sole side in the relaxed state;

5 Figure 21 shows a plan view from below of the functional layer part shown in Figure 20 with tensioned elastic string-lasting;

 Figures 22-25 show a thirteenth embodiment of the invention in a fourth production phase; and

10 Figures 26-30 show a fourteenth embodiment of the invention in six different production phases.

DESCRIPTION OF EMBODIMENTS OF THE INVENTION

15 The terms vertical and horizontal are used here for describing the position of individual shoe components. This relates to the representations in the figures and corresponds to the idea that in most cases shoes are located with their outsole on a horizontal
20 floor or other type of horizontal underlying surface.

 Figure 1 shows in a highly schematized cross-sectional representation a first embodiment of a shoe according to the invention, with an upper 11, which is constructed with an outer material 13 and a functional
25 layer 15 lining the inner side of the latter. The functional layer 15 may be part of a functional-layer laminate, which has the functional layer and a lining layer on the inner side of the latter. Furthermore, the functional layer 15 may be provided with a textile
30 backing (not represented) on its outer side facing the outer material 13. There are also embodiments in which the functional layer and the lining are separate layers of material.

 Furthermore, Figure 1 shows an insole 17 and a
35 dish-like, prefabricated outsole 19, which is constructed with rubber and/or plastic. The outer material 13 and the functional layer 15 have an outer-material end region 21 or functional-layer end region 23 ending vertically, i.e. perpendicular to the tread

of the outsole 19. The functional-layer end region 23 has an overhang 25 with respect to the outer-material end region 21. The overhang 25 is bridged by means of a gauze strip 27. A first, upper longitudinal side of the gauze strip is sewn by means of a first seam 29 to the lower end of the outer-material end region 21. A lower, second longitudinal side of the gauze strip 27 is sewn by means of a Strobel seam 31 both to the insole 17 and to the lower end of the functional-layer end region 23.

A reactive hot-melt adhesive 33, bringing about waterproofness when in the fully reacted state, is applied to the outer side of the gauze strip 27. In the liquid state, which the reactive hot-melt adhesive reaches for example by heating, the reactive hot-melt adhesive 33 penetrates through the gauze strip 27 and, in the region of the overhang 25, as far as the outer side of the functional layer 15. In the fully reacted state, the reactive hot-melt adhesive 33 then seals this region of the functional layer 15 with a waterproof effect. The reactive hot-melt adhesive 33 is preferably applied over such an extent and in such an amount that it also seals the cut edge of the functional layer 15 at the lower end of the functional-layer end region 23. It is preferred in this case for the sealing to include the peripheral region of the insole 17 adjacent to the functional-layer end region 23 and the fastening seams involving the functional layer 15.

Water or other liquid which has penetrated along the water- or liquid-conducting outer material 13 to the lower end of the outer-material end region 21 cannot reach the inner side of the functional layer 15, and consequently cannot reach the inner lining of the shoe, on account of this sealing by means of reactive hot-melt adhesive 33.

Outsole cement 35, which may be conventional outsole cement, to be precise in the form of solvent adhesive or hot-melt adhesive, is applied over preferably the entire inner side of the outsole 19.

Furthermore, outsole cement 37 is applied to the outer side of the outer material 13. Shown in Figure 1 is a state of production of the shoe of the first embodiment before the outsole 19 is pressed upwards against the insole 17 in order to bond it adhesively to the insole 17 and the upper end region on the sole side. In this case, the outsole cement 35 on the inner side of the upturned edge 40 of the outsole 19 enters into an adhesive bond with the outsole cement 37 applied to the upper end region.

For better representation and overall clarity, in Figure 1 and further figures the distances between the individual components of the shoe construction are shown larger than they actually are. In fact, the distances between the individual components are dimensioned in such a way that, after the outsole 19 has been pressed onto the insole 17, the upturned edge 40 bears right up against the outer side of the outer material 13 and is adhesively bonded to the outer material 13.

Figure 2 shows a second embodiment of a shoe according to the invention, which largely coincides with the first embodiment shown in Figure 1, but differs from the first embodiment to the extent that in the second embodiment only the outer-material end region 21 ends vertically, while the functional-layer end region 23 ends horizontally, i.e. parallel to the tread of the outsole 19. Therefore, the overhang 25 of the functional-layer end region 23 and essentially also the gauze strip 27 and the reactive hot-melt adhesive 33 also run horizontally. On account of the horizontal extent of the functional-layer end region 23, the insole 17 does not extend over the entire width of the sole of the shoe construction but instead its peripheral edge is at a distance from the vertical part of the upper 11. Otherwise, it coincides with the first embodiment, so that, with regard to further aspects of the second embodiment, reference is made to the remarks made above concerning the first embodiment.

- 22 -

enlargement. This reveals that, in this stage of production, the reactive hot-melt adhesive 33 has already penetrated as far as the functional layer 15.

Figure 6 shows in a perspective representation
5 an entire shoe of the third embodiment, represented in Figure 5, part of the shoe having been cut open in order to illustrate at which point of the shoe the cut according to Figure 5 is located.

Figure 7 shows a fourth embodiment of a shoe
10 according to the invention, which coincides with the first embodiment, shown in Figure 1, with the exception that in the fourth embodiment no gauze strip 27 is present. Therefore, reference can to a great extent be made to the preceding description concerning the first
15 embodiment.

In the fourth embodiment there is no connection between the lower end of the outer-material end region 21 and the lower end of the functional-layer end region 23 and the insole 17 before the adhesive attachment of
20 the outsole 19 and before adhesive bonding with the reactive hot-melt adhesive 33 in the upper end region. Only after application of the reactive hot-melt adhesive 33 is there a connection between the outer-material end region 21 and the functional-layer end
25 region 23 on account of the adhesive effect of the said adhesive, if the reactive hot-melt adhesive is applied to such an extent that it includes the lower edge of the outer-material end region, which is not absolutely necessary. After the adhesive attachment of the outsole
30 19 to the insole 17 and the upper 11, the outer-material end region 21 is also laterally fixed by means of the upturned edge 40 of the outsole 19.

The fifth embodiment, shown in Figure 8, coincides with the fourth embodiment, shown in Figure
35 7, with the only exception that the outer-material end region 21 is fixed by means of fixing adhesive 43 to the outer side of the functional layer 15. This serves for easier handling of the upper 11 during production steps before the adhesive attachment of the outsole 19.

- 23 -

The sixth embodiment of the invention, shown in Figure 9, shows a shoe construction which coincides with the second embodiment according to Figure 2, with the exception that no gauze strip is present. With regard to the aspects coinciding with the second embodiment, reference can be made to the explanations concerning Figure 2. As in the case of the fourth embodiment, shown in Figure 7, the reactive hot-melt adhesive 33 in the sixth embodiment is also applied directly to the outer side of the overhang 25 of the functional-layer end region 23, which leads to particularly good adhesive bonding, with a sealing effect, of the functional-layer end region 23 by the reactive hot-melt adhesive 33.

In a way corresponding to the fourth embodiment in Figure 7, no cementing between the outer-material end region 21 and the outer side of the functional layer 15 is provided in the sixth embodiment in Figure 9 either. The outer-material end region 21 therefore lies only loosely on the outer side of the functional layer 15 before the outsole 19 is adhesively bonded by means of the reactive hot-melt adhesive 33 or before it is adhesively attached.

Figure 10 shows a seventh embodiment, which represents a modification of the sixth embodiment, shown in Figure 9, to the extent that the outer-material end region 21 is fixed by means of fixing adhesive 43 to the outer side of the lower end of the vertical region of the functional layer 15 before the further production steps are carried out, namely sewing the functional-layer end region 23 to the insole 17, applying the reactive hot-melt adhesive 33 and adhesively attaching the outsole 19. Otherwise, with regard to the seventh embodiment, reference can be made to preceding explanations concerning preceding figures.

The eighth embodiment of the invention, shown in Figure 11, coincides with the third embodiment, shown in Figure 3, with the exception that no gauze strip is present. Therefore, reference can be made to a

- 25 -

together while the upper is stretched over a last (not shown in Figure 13).

In this embodiment, a gauze strip 27 is sewn on one longitudinal side to the outer-material end region 21 and on the other longitudinal side to the string tunnel 49 of the string-lasting 45, so that the overhang 25 of the functional-layer end region 23 is bridged by the gauze strip 27 and the outer-material end region 21 is kept horizontal. Reactive hot-melt adhesive 33, which leads to waterproof sealing of the functional layer 15 in the region of the functional-layer end region 23 when in a fully reacted state, is applied to the underside of the gauze strip 27. The reactive hot-melt adhesive 33 is in this case dimensioned as far as possible in such a way that it also includes in its sealing the string-lasting 45 and/or the seam 29 between the gauze strip 27 and the outer-material end region 31.

After applying reactive hot-melt adhesive 33, a sheet-like outsole 39 is adhesively attached to the underside of the horizontal region of the upper by means of outsole cement 37. Although not represented in Figure 13, outsole cement may be applied to the underside of the outer-material end region 21 before the outsole 39 is adhesively attached in this embodiment as well.

Figure 14 shows an eleventh embodiment, which coincides with the tenth embodiment, shown in Figure 13, with the exception that it has no gauze strip, but instead a second string-lasting 47, by means of which the outer-material end region 21 is lashed together in a horizontal position. In this embodiment, the reactive hot-melt adhesive 33 is applied directly to the outer side of the overhang 25 of the functional-layer end region 21.

The second string-lasting 47 has a tubular string tunnel 49, which runs around the entire inner periphery of the outer-material end region 21 and in which there is a string 51 by means of which the outer-

- 27 -

material which cannot be wetted by the reactive hot-melt adhesive 33, and consequently does not bond with the latter. Particularly suitable is a pressing device 53 with a surface of polytetrafluoroethylene (also known by the trade name Teflon), which has a smooth surface and not a porous surface like expanded, microporous tetrafluoroethylene, suitable for the functional layer. In this case, the surface of the pressing device 53 itself consists of such material or a film of such material is introduced between the sole construction of the footwear and the pressing device 53 before the pressing operation.

Figure 16 shows in a schematized, not-to-scale, greatly enlarged, two-dimensional representation a detail of a sole construction with reactive hot-melt adhesive 33 fully reacted by three-dimensional crosslinking of molecule chains (the seam 31 joining the functional-layer end region 23 and the insole 17 not being represented). The three-dimensionality of the crosslinking is created by the molecule chains of the reactive hot-melt adhesive 33 crosslinking also in the third dimension (perpendicular to the surface of the drawing), not visible in Figure 16, in the way represented for two dimensions. The three-dimensional crosslinking provides particularly strong protection against the penetration of water into the adhesive.

Shown in Figures 17 to 19 and 22 to 31 are embodiments of the invention in which an outer-material end region on the sole side is angled away and sewn to the peripheral edge of a sole. Figures 20 and 21 show an embodiment of a functional layer part which is particularly suitable for these embodiments of the invention.

Figures 17 to 19 show in a highly schematized partial cross-sectional view a twelfth embodiment of the invention, with an upper 11 which is constructed with an outer material 13, a functional layer 15 arranged on the inner side of the latter and a lining 16 arranged on the inner side of the functional layer

- 28 -

15. An outwardly angled-away outer-material end region 21 on the sole side is securely sewn by means of a sole seam 22 to a likewise outwardly angled-away peripheral edge 18 of a dish-shaped outsole 19. A functional-layer end region 23 on the sole side and a lining end region 24 on the sole side are sewn to a string-lasting 45, which comprises a string tunnel 49 and a string 51 located in it. In the region adjoining the string-lasting 45, the underside of the functional-layer end region facing the outsole 19 is provided with not yet reacted reactive hot-melt adhesive 33.

In the production phase of the twelfth embodiment, shown in Figure 17, the functional-layer end region 23 and the lining end region 24 have been clearly lifted off the outsole 19. The reason for this is that the string-lasting 45 in this embodiment of the invention is formed by an elastic string-lasting, by means of which the functional-layer end region 23 and the lining end region 24 are pretensioned toward the center of the outsole. This leads to the intended lifting of the functional-layer end region 23 and the lining end region 24 off the outsole 19, in order to keep the functional-layer end region 23 away from the sewing needle creating the sole seam 22 during the sewing of the sole seam 22. This ensures that the sewing needle does not unintentionally perforate the functional layer 15, which would cause the shoe to be unwaterproof.

In the production phase shown in Figure 18, the reactive hot-melt adhesive 33 has adhesively bonded with the opposite region of the outsole 19. This has been achieved by inserting into the interior of the lining 16 a last (not represented), by means of which the functional-layer end region 23 and the lining end region 24 have been pressed against the elastic force of the elastic string-lasting 45 down toward the outsole 19 in such a way that the reactive hot-melt adhesive 33 has come into contact with the outsole 19. While the last was inside the lining 16, the reactive

phases of this embodiment. A cross section through the front foot region of the footwear according to this embodiment is represented in each case in a schematized way.

5 This embodiment also concerns footwear in which the outer material 13 of the upper has an outwardly angled-away outer-material end region 21 which is joined to an outsole, here a plate-shaped outsole 39, by means of a sole seam 22.

10 Figure 22 shows a production phase of this footwear in which the outwardly angled-away outer-material end region 21 of the outer material 13 is initially fixed by means of adhesive 35 to a peripheral edge 53 of the outsole 39. This adhesive 35 may be, for
15 example, conventional solvent-based adhesive of the type already mentioned above.

Inside the outer material 13 there is the functional layer part 26 of the type shown in Figures 20 and 21, but already provided with reactive hot-melt
20 adhesive 33, to be precise on the outer side of the functional layer part 26 facing the outer material 13, alongside the string-lasting 45. On account of the elasticity of the string-lasting 45, the end region on the sole side of the functional layer part 26 has been
25 pulled away from the end region on the sole side of the outer material 13, so that in the production phase shown in Figure 23 the sole seam 22 can be provided without the risk of perforation of the functional layer part 26. At least during the production of the sole
30 seam 22, there is therefore no last inside the functional layer part 26.

Once the sole seam 22 has been produced, the footwear is stretched over a last 20, which leads to tensioning of the elastic string-lasting 45 and
35 consequently stretching of the functional layer part 26, in such a way that the reactive hot-melt adhesive 33 comes into contact with the top side of the outsole 39, facing the last 20. In this state of the footwear, the reactive hot-melt adhesive 33 becomes adhesively

reactive, that is to say it is exposed to conditions which initiate its crosslinking reaction. For example, reactive hot-melt adhesive 33 with which carbon or metal particles have been admixed is used, and the
 5 activation takes place by infrared radiation or microwave radiation being directed onto the reactive hot-melt adhesive. The carbon or metal particles in this case act like small heating elements which heat the reactive hot-melt adhesive from the inside and
 10 bring it to the activation temperature.

Once the reactive hot-melt adhesive 33 has been adhesively bonded with the outsole 39, which leads to a waterproof sealing of the end region on the sole side of the functional layer part 26, the last 20 is removed
 15 from the footwear. To complete the footwear, an insole 55 is then also arranged over the outsole 39 and the end region on the sole side of the functional layer part 26, for example it is cemented there. This brings us to a production phase such as that shown in Figure
 20 25.

Shown in Figures 26-31 are various production phases of a fourteenth embodiment of footwear according to the invention, in which an outwardly angled-away outer-material end region is not sewn to an outsole but
 25 to an intermediate sole. In this embodiment too, a functional layer part 26 of the type shown in Figures 20 and 21 with flexible string-lasting is used.

In the production phase shown in Figure 26, the adhesive bonding of the outwardly angled-away outer-material end region 21 to a peripheral edge 57 of an
 30 intermediate sole 59 takes place by means of adhesive 35. This production phase can be carried out with the last 20 inserted into the footwear or - in a way corresponding to Figure 22 of the thirteenth embodiment
 35 - without inserted last 20. What is important is that, in the production phase shown in Figure 27, the footwear is not stretched over a last 20, in order that the elastic string-lasting 45 of the functional layer part 26 can pull the end region on the sole side of the

- 32 -

latter away from the effective range of the sewing machine for sewing through the sole, by means of which the sole seam 22 is produced. As a result, in this embodiment too, the round needle of the sewing machine
5 sewing through the sole is prevented from gripping and perforating the functional layer of the functional layer part 26. This risk would be particularly great on the inner side of the middle foot region of the footwear if the functional layer part 26 were not
10 pulled away by means of the elastic string-lasting 45 from the area of the sewing machine sewing through the sole.

Once the sole seam 22 has been produced, the footwear is stretched over the last 20 (again),
15 according to the production phase shown in Figure 28, in order to stretch the functional layer part 26 counter to the pretensioning force of the elastic string-lasting 45 in such a way inside the outer material 13 that the reactive hot-melt adhesive 33
20 comes into contact with the top side of the intermediate sole 59 facing the last 20 and can be adhesively bonded with the intermediate sole 59 in a sealing manner by an activation process.

After the activation of the reactive hot-melt
25 adhesive 33 has led to adequate adhesive bonding between the functional layer part 26 and the intermediate sole 59, the last 20 is removed again, as it is shown in Figure 29. After that, an outsole 39 is fastened to the underside of the intermediate sole 59,
30 for example by means of conventional outsole cement 35 in the form of solvent-based adhesive. This brings us to the production phase shown in Figure 30. To complete the footwear, an insole 55 is then also attached in a way according to Figure 31, for example by adhesive
35 bonding (not represented) of the intermediate sole 55 to the end region on the sole side of the functional layer part 26 and the top side of the intermediate sole 39.

- 34 -

tension may be achieved by an elastic band being sewn or cemented onto the peripheral edge on the sole side of the functional layer part 26.

- 36 -

8. The footwear as claimed in one of claims 1 - 7, in which the upper end region extends essentially perpendicular to the tread of the outsole (19; 39) and the functional-layer end region (23) projects beyond
5 the outer-material end region (21) in the direction of the tread.

9. The footwear as claimed in one of claims 1 - 7, in which the upper end region extends essentially parallel to the tread of the outsole (19; 39) and the
10 functional-layer end region (23) projects beyond the outer-material end region (21) in the direction of the center of the outsole.

10. The footwear as claimed in one of claims 1 - 9, with an insole (17), to which the functional-layer end
15 region (23) is fastened.

11. The footwear as claimed in claim 10, in which the functional-layer end region (23) is joined to the insole (17) by means of a seam (31).

12. The footwear as claimed in claim 9, in which
20 the functional-layer end region (23) is kept essentially parallel to the tread of the outsole (19; 39) by means of a first string-lasting (45).

13. The footwear as claimed in one of claims 1 - 12, in which the outer-material end region (21) is
25 fastened to the functional layer (23) by means of fixing adhesive (43).

14. The footwear as claimed in one of claims 1 - 13, in which the overhang (24) is bridged by a connecting strip of a material permeable to liquid
30 reactive hot-melt adhesive (33) and the reactive hot-melt adhesive (33) has been applied to an outer side of the connecting strip.

15. The footwear as claimed in claim 14, in which the connecting strip is constructed with a gauze strip
35 (27).

16. The footwear as claimed in claim 15, in which a first longitudinal side of the gauze strip (27) is fastened to the outer-material end region (21).

- 37 -

17. The footwear as claimed in claim 16, in which the first longitudinal side of the gauze strip (27) is sewn to the outer-material end region (21).

18. The footwear as claimed in one of claims 15 to 5 17, in which a second longitudinal side of the gauze strip (27) is fastened to the functional-layer end region (23).

19. The footwear as claimed in claim 18, in which the second longitudinal side of the gauze strip (27) is 10 sewn to the functional-layer end region (23).

20. The footwear as claimed in one of claims 16 - 19, in which the second longitudinal side of the gauze strip (27) is fastened to the insole (17).

21. The footwear as claimed in claim 20, in which 15 the second longitudinal side of the gauze strip (27) is sewn to the insole (17).

22. The footwear as claimed in one of claims 16 - 19, in which the second longitudinal side of the gauze strip (27) is fastened to the first string-lasting (45) 20 holding the functional-layer end region (23).

23. The footwear as claimed in claim 22, in which the second longitudinal side of the gauze strip (27) is sewn to the first string-lasting (45) holding the functional-layer end region (23).

24. The footwear as claimed in one of claims 12 - 25 18 and 21 - 23, in which the outer-material end region (21) is kept essentially parallel to the tread of the outsole (19; 39) by means of a second string-lasting (47).

25. The footwear as claimed in claim 24, in which 30 the outer-material end region (21) is provided with an elastic drawstring, which pulls the outer-material end region (21) toward the center of the outsole.

26. The footwear as claimed in claim 25, in which 35 the elastic drawstring is formed by an elastic string-lasting (47), which has an elastic string (51) which pretensions the outer-material end region (21) toward the center of the outsole.

- 38 -

27. The footwear as claimed in one of claims 12 - 19 and 22 - 26, in which the functional-layer end region (23) is provided with an elastic drawstring, which pretensions the functional-layer end region (23) toward the center of the outsole.
28. The footwear as claimed in claim 27, in which the elastic drawstring is formed by an elastic string-lasting (45), which has an elastic string (51) which pretensions the functional-layer end region (23) toward the center of the outsole.
29. The footwear as claimed in claim 27 or 28, in which the outer-material end region (21) is angled away outward and sewn to the peripheral edge (18; 53; 57) of a sole.
30. The footwear as claimed in claim 29, in which the sole is formed by the outsole (19; 39).
31. The footwear as claimed in claim 29, in which the sole is formed by an intermediate sole (59).
32. The footwear as claimed in claim 31, in which the outsole (39) is fastened to the intermediate sole (59).
33. The footwear as claimed in one of claims 1 - 32, in which a functional layer (15) is provided in the form of a waterproof and water-vapor-permeable functional layer.
34. The footwear as claimed in claim 33, with a functional layer (15) constructed with expanded, microporous polytetrafluoroethylene.
35. The footwear as claimed in one of claims 1 - 34, in which the outsole (19) is essentially in the form of a dish, with a sheet-like tread region and an upturned edge (40) rising up essentially perpendicularly from the latter.
36. The footwear as claimed in one of claims 9 - 34, in which the outsole (39) is essentially in the form of a sheet.
37. A process for producing footwear, having the following production steps:

- 39 -

an upper (11) is created, constructed with an outer material (13) and with a waterproof functional layer (15) at least partially lining the outer material (13) on the inner side of the latter and provided with an upper end region on the sole side;

5 the outer material (13) is provided with an outer-material end region (21) on the sole side and the functional layer (15) is provided with a functional-layer end region (23) on the sole side, the functional-layer end region (23) being provided with an edge region which is not covered by the outer-material end region (21);

an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive (33) which brings about waterproofness when in the fully reacted state is applied to the edge region;

15 an outsole (19; 39) is fastened to the upper end region.

38. The process as claimed in claim 36, in which the edge region (25) is formed by an overhang of the functional-layer end region (23) projecting beyond the outer-material end region (21).

39. The process as claimed in claim 37 or 38, in which the functional-layer end region (23) is tensioned by means of a first string-lasting (45) which is essentially parallel to the tread of the outsole (19; 39).

40. The process as claimed in claim 39, in which the first string-lasting (45) is provided with an elastic string (51), which pretensions the functional-layer end region (23) toward the center of the outsole.

41. The process as claimed in claim 37 or 39, in which the overhang (25) is bridged by a connecting strip of a material permeable to liquid reactive hot-melt adhesive (33) and the reactive hot-melt adhesive (33) is applied to an outer side of the connecting strip.

- 40 -

42. The process as claimed in claim 41, in which a connecting strip is attached in the form of a gauze strip (27).

43. The process as claimed in claim 42, in which a
5 first longitudinal side of the gauze strip (27) is sewn to the outer-material end region (21) and a second longitudinal side of the gauze strip (27) is sewn to the functional-layer end region (23).

44. The process as claimed in one of claims 37 -
10 43, in which the sole construction is provided with an insole (17).

45. The process as claimed in one of claims 42 -
44, in which the second longitudinal side of the gauze strip (27) is sewn to the insole (17).

46. The process as claimed in claim 39 or 40 and
15 42, in which the second longitudinal side of the gauze strip (27) is sewn to the string-lasting (45).

47. The process as claimed in one of claims 39 -
46, in which the outer-material end region (21) is
20 tensioned by means of a second string-lasting (47) essentially parallel to the tread of the outsole (19; 39).

48. The process as claimed in claim 40, in which
the outer-material end region (21) is angled away
25 outward and fastened to the peripheral edge of a sole.

49. The process as claimed in claim 48, in which
the angled-away outer-material end region (21) is
fastened to the peripheral region of the outsole (19;
39).

50. The process as claimed in claim 48, in which
the angled-away outer-material end region (21) is
fastened to the peripheral edge (57) of an intermediate
sole (59), to the underside of which the outsole (19;
39) is fastened.

51. The process as claimed in one of claims 48 -
50, with the following production steps:

a) the functional-layer end region (23) is provided with
a string-lasting (45) with an elastic string;

- 41 -

b) the overhang (25) of the functional-layer end region (23) is provided on its outer side facing the sole with reactive hot-melt adhesive (33);

c) the functional layer (13) provided with string-
5 lasting (45) and reactive hot-melt adhesive (33) is arranged inside the outer material (13);

d) the outwardly angled-away outer-material end region (21) is fastened to the peripheral edge (53; 57) of the sole (39; 59);

10 e) the upper (11) joined to the sole (39; 59) is stretched onto a last (20) in such a way that the reactive hot-melt adhesive (33) comes into contact with the sole (39; 59);

f) the reactive hot-melt adhesive (33) is adhesively
15 bonded with the sole (39; 59).

52. The process as claimed in claim 51, in which the outwardly angled-away outer-material end region (21) is adhesively bonded to the peripheral edge (53; 57) of the sole (39; 59).

20 53. The process as claimed in claim 51 or 52, in which the outwardly angled-away outer-material end region (21) is sewn to the peripheral edge (53; 57) of the sole (39; 59).

54. The process as claimed in one of claims 51 -
25 53, in which the angled-away outer-material end region (21) is fastened to an intermediate sole (59).

55. The process as claimed in claim 54, in which
a) the upper (11) having the outer material (13) and the functional layer (15) is stretched over a last (20);

30 b) the outwardly angled-away outer-material end region (21) is adhesively bonded to the peripheral edge (57) of the intermediate sole (59);

c) the outer (11) is removed from the last (20);

d) the outwardly angled-away outer-material end region
35 (21) is sewn to the peripheral edge (57) of the intermediate sole (59);

e) the upper (11) sewn to the intermediate sole (39) is stretched once again onto the last (20) in such a way

- 42 -

that the reactive hot-melt adhesive (33) comes into contact with the intermediate sole (59);

f) the reactive hot-melt adhesive (33) is adhesively bonded with the intermediate sole (59).

5 56. The process as claimed in one of claims 51 - 53, in which the outwardly angled-away outer-material region (21) is fastened to the outsole (19; 39).

57. The process as claimed in claim 56, in which

10 a) the outwardly angled-away outer-material end region (21) is adhesively bonded to the peripheral edge (53) of the outsole (19; 39);

b) the outwardly angled-away outer-material end region (21) is sewn to the peripheral edge (53) of the outsole (19; 39);

15 c) the upper (11) sewn to the outsole (19; 39) is stretched over a last (20) in such a way that the reactive hot-melt adhesive (33) comes into contact with the outsole (19; 39);

20 d) the reactive hot-melt adhesive (33) is adhesively bonded with the outsole (19, 39).

58. The process as claimed in one of claims 55 - 57, in which, after the adhesive bonding of the reactive hot-melt adhesive (33) and the removal of the last (20) from the upper (11), an insole (55) covering
25 the functional-layer end region (23) and the sole (19; 39; 59) is attached inside the functional layer (15).

59. The process as claimed in one of claims 37 - 47, in which, after being applied to the overhang (25) or the gauze strip (27), the reactive hot-melt adhesive
30 (33) is pressed against the surface of the overhang (25) or of the gauze strip (27) by a pressing device (53) with a pressing surface not adhesively bonding with the reactive hot-melt adhesive (33).

60. The process as claimed in one of claims 37 -
35 59, in which a reactive hot-melt adhesive (33) which can cure by means of moisture is used, being applied to the region to be sealed and exposed to moisture to make it fully react.

61. The process as claimed in claim 60, in which a reactive hot-melt adhesive (33) which can be thermally activated and can be cured by means of moisture is used, being thermally activated, applied to the region
5 to be sealed and exposed to moisture to make it fully react.

62. The process as claimed in claim 59 or 60, in which a reactive hot-melt adhesive (33) which can be thermally activated is applied in the non-activated
10 state to the overhang (25) and is thermally activated only at the time at which the adhesive bonding of the reactive hot-melt adhesive (33) is intended to take place.

63. The process as claimed in claim 62, in which
15 reactive hot-melt adhesive (33) which contains particles which can be heated by means of irradiation is applied to the overhang (25), radiation heating the particles being directed onto the reactive hot-melt adhesive (33) at the time at which the adhesive bonding
20 of the reactive hot-melt adhesive (33) is intended to take place.

64. The process as claimed in claim 62 or 63, in which reactive hot-melt adhesive (33) containing metal particles is used and microwave radiation is directed
25 onto the reactive hot-melt adhesive (33).

65. The process as claimed in claim 62 or 63, in which reactive hot-melt adhesive (33) containing carbon particles is used and infrared radiation is directed onto the reactive hot-melt adhesive (33).

30 66. The process as claimed in one of claims 37 - 65, in which a waterproof and water-vapor-permeable functional layer (15) is used.

67. The process as claimed in claim 6, in which a functional layer (15) constructed with expanded,
35 microporous polytetrafluoroethylene is used.

Abstract

Footwear with an upper and a sole construction having an outsole, in which the upper is constructed with an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the latter and having an upper end region on the sole side with an outer-material end region and a functional-layer end region, the outsole (19) is joined to the upper end region, the functional-layer end region has an overhang projecting beyond the outer-material end region and an adhesive zone which is closed in the direction of the sole periphery and comprises a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state is applied to the overhang.

Declaration and Power of Attorney For Patent Application

Erklärung Für Patentanmeldungen Mit Vollmacht

German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

dass mein Wohnsitz, meine Postanschrift, und meine Staatsangehörigkeit den im Nachstehenden nach meinem Namen aufgeführten Angaben entsprechen,

dass ich, nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent beantragt wird für die Erfindung mit dem Titel:

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☐ hier beigelegt ist.

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Ich bestätige hiermit, dass ich den Inhalt der obigen Patentanmeldung einschliesslich der Ansprüche durchgesehen und verstanden habe, die eventuell durch einen Zusatzantrag wie oben erwähnt abgeändert wurde.

Ich erkenne meine Pflicht zur Offenbarung irgendwelcher Informationen, die für die Prüfung der vorliegenden Anmeldung in Einklang mit Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) von Wichtigkeit sind, an.

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäss Abschnitt 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 119 aller unten angegebenen Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde, und habe auch alle Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde nachstehend gekennzeichnet, die ein Anmeldedatum haben, das vor dem Anmeldedatum der Anmeldung liegt, für die Priorität beansprucht wird.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Footwear With A Sealed Sole

Construction and Process For Its.

Production

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on February 15, 2002 as

Application Serial No. 10/069,057

and was amended on February 15, 2002

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

German Language Declaration

Prior foreign applications

Priorität beansprucht

Priority Claimed

EP 00/04113

PCT

8/5/00

(Number)
(Nummer)(Country)
(Land)(Day/Month/Year Filed)
(Tag/Monat/Jahr eingereicht)☒
Yes
Ja☐
No
Nein

DE 199 38 139.9

Germany

16/08/99

(Number)
(Nummer)(Country)
(Land)(Day/Month/Year Filed)
(Tag/Monat/Jahr eingereicht)☒
Yes
Ja☐
No
Nein(Number)
(Nummer)(Country)
(Land)(Day/Month/Year Filed)
(Tag/Monat/Jahr eingereicht)☐
Yes
Ja☐
No
Nein

Ich beanspruche hiermit gemäss Absatz 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 120, den Vorzug aller unten aufgeführten Anmeldungen und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in einer früheren amerikanischen Patentanmeldung laut dem ersten Paragraphen des Absatzes 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäss Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmeldedatum der früheren Anmeldung und dem nationalen oder PCT internationalen Anmeldedatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)
(Anmeldeseriennummer)(Filing Date)
(Anmeldedatum)(Status)
(patentiert, anhängig,
aufgegeben)(Status)
(patented, pending,
abandoned)(Application Serial No.)
(Anmeldeseriennummer)(Filing Date)
(Anmeldedatum)(Status)
(patentiert, anhängig,
aufgegeben)(Status)
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abandoned)

Ich erkläre hiermit, dass alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und dass ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, dass wissentlich und vorsätzlich falsche Angaben gemäss Paragraph 1001, Absatz 18 der Zivilprozessordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden können, und dass derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

German Language Declaration

VERTRETUNGSVOLLMACHT: Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent- und Warenzeichenamt: (Name und Registrationsnummer anführen)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

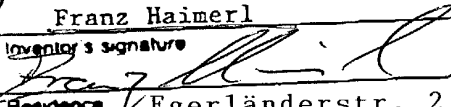
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